



## COMMUNITY DEVELOPMENT DEPARTMENT

June 26, 2020

**\*\*\*EFFECTIVE JUNE 26, 2020\*\*\***

Today, Halsey Beshears, Secretary of the Florida Department of Business and Professional Regulation released **EMERGENCY ORDER 2020-09**. Based on the significant increase in the number of individuals testing positive for COVID-19 during the month of June, the emergency order requires the following actions for businesses licensed for on-premises alcohol consumption.

### **Bars, Pubs and Nightclubs**

All vendors licensed to sell alcoholic beverages for consumption on the premises who derive more than 50% of gross revenue from such sales of alcoholic beverages shall suspend such sales of alcoholic beverages for consumption on the premises. Such vendors may continue to sell alcoholic beverages in sealed containers for consumption off the premises in accordance with Executive Order 20-71, Sections 1 and 2 (see attached Executive Order 20-71).

### **Restaurants**

Vendors who are licensed as public food service establishments or "restaurants" under Chapter 509, Florida Statutes, may continue to operate for on-premises consumption of food and beverages at tables pursuant to the restrictions in Executive Order 20-139, so long as these vendors derive 50% or less of gross revenue from the sale of alcoholic beverages for on-premises consumption (see attached Executive Order 20-139).

### **Reminder – Still in Effect**

#### ***\*City of Inverness Temporary Expanded Outdoor Dining***

The City of Inverness continues to support expanded outdoor dining while indoor seating is limited. Outdoor dining may be expanded to other areas of the property, including lawns, sidewalks and parking areas subject to the following conditions.

- Public safety and social distancing continue to be the priority.
- Additional **temporary** outdoor dining on City sidewalks is permitted and encouraged with social distancing. An authorized representative must provide a drawing of any additional seating on City sidewalks (see page 3). Also, please leave a walking lane and room for people with disabilities to use the sidewalk.
- If expanding into a parking area, a drawing of the plan must be approved by the Community Development Department (see page 3). There is no fee for this approval. Any outdoor dining expansion into a parking area must be barricaded to protect the diners from moving vehicles.

- According to recent dialogue with the Florida Division of Alcohol and Tobacco, alcoholic beverages are allowed in the **temporary** expanded outdoor dining areas.

For those establishments expanding on to City sidewalks or into private parking areas, please email your site plan and signed acknowledgement of the City's conditions to [grice@Inverness-fl.gov](mailto:grice@Inverness-fl.gov) (see page 3).

Please let the City know if it can be of further assistance or for questions, please contact Greg Rice at (352)726-3401 or [grice@Inverness-fl.gov](mailto:grice@Inverness-fl.gov).

Encl:

Emergency Order 2020-09

Executive Order 20-71

Executive Order 20-139

# City of Inverness Temporary Expanded Outdoor Dining Plan

## Instructions for City Sidewalks and Parking Areas

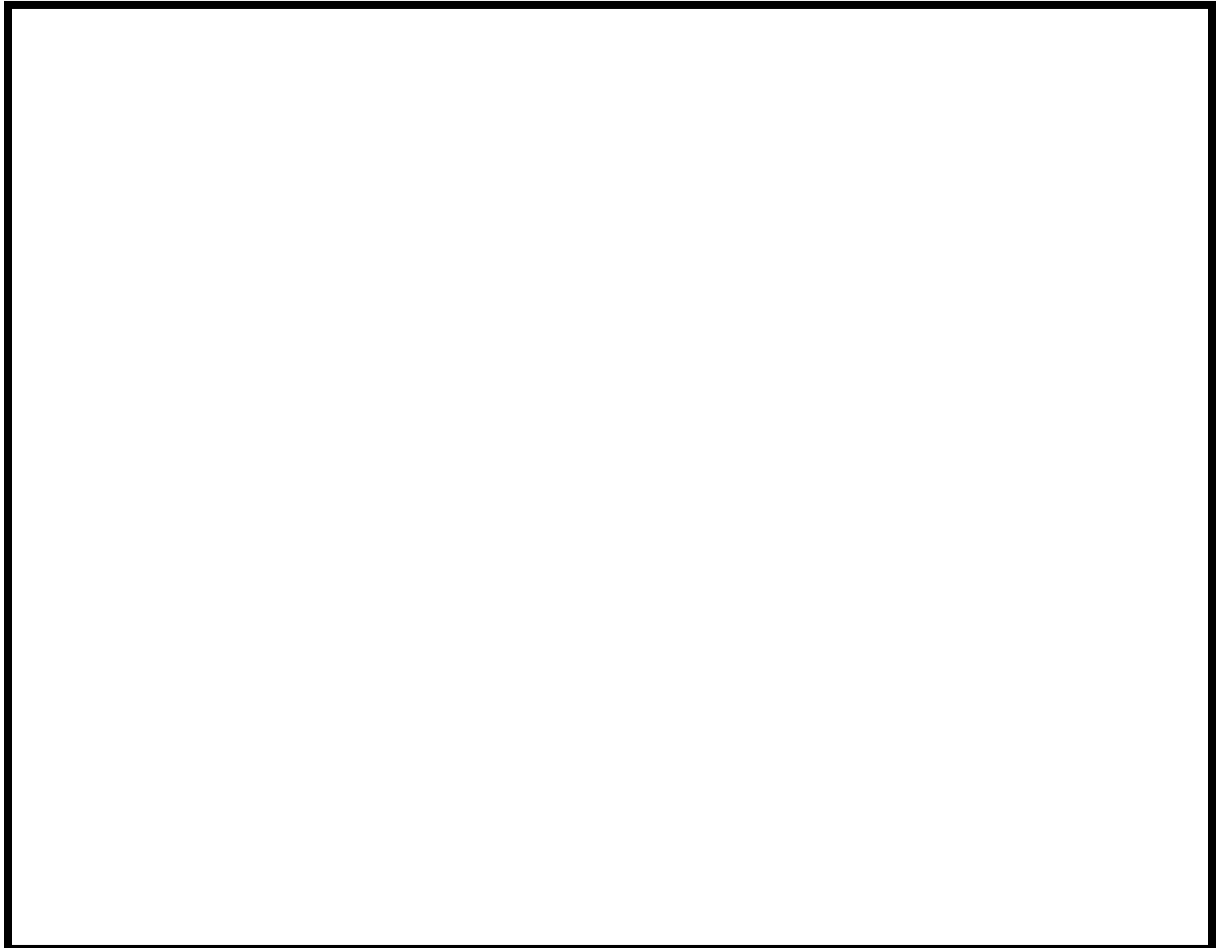
### City Sidewalk Expanded Dining

In the box below, please show the front of your restaurant as a reference point, the new temporary seating and the pedestrian sidewalk aisle. Then sign the acknowledgement line at the bottom of the form.

### Parking Area Expanded Dining

In the box below, please show the front of your restaurant as a reference point, the new temporary seating and the barricaded portion of the parking area or lot. Then sign the acknowledgement line at the bottom of the form.

**PLEASE DRAW YOUR PROPOSED TEMPORARY SEATING PLAN BELOW**



### ACKNOWLEDGEMENT

I, \_\_\_\_\_, (PRINTED NAME) HAVE READ AND AGREE TO THE INVERNESS CONDITIONS FOR TEMPORARY EXPANDED OUTDOOR DINING ON CITY SIDEWALKS OR PRIVATE PARKING AREAS. I ALSO UNDERSTAND THAT THESE EXPANDED AREAS ARE TEMPORARY DURING THE STATE RE-OPENING PERIOD.

\_\_\_\_\_  
SIGNATURE OF AUTHORIZED REPRESENTATIVE



**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**EMERGENCY ORDER 2020-09**

**WHEREAS**, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

**WHEREAS**, all counties in Florida have positive cases for COVID-19, and COVID-19 poses a risk to the entire state of Florida; and

**WHEREAS**, the Governor issued Executive Order 20-52 on March 9, 2020, pursuant to the authority vested in him by Article IV, Section 1(a) of the Florida Constitution, the State Emergency Management Act, s. 252.31, Florida Statutes, *et al.*, as amended, and all other applicable laws, and declared a state of emergency for the State of Florida; and

**WHEREAS**, the Governor, in Executive Order Number 20-52, authorized each State agency to suspend the provisions of any regulatory statute of that agency, if strict compliance with that statute would in any way prevent, hinder, or delay necessary action in coping with this emergency; and

**WHEREAS**, on April 29, 2020, the Governor issued Executive Order 20-112 initiating Phase 1 of the Safe. Smart. Step-by-Step. Plan for Florida's Recovery;

**WHEREAS**, on June 3, 2020, the Governor issued Executive Order 20-139 initiating Phase 2 of the Safe. Smart. Step-by-Step. Plan for Florida's Recovery for 64 counties;

**WHEREAS**, under Phase 2, bars and other vendors licensed to sell alcoholic beverages for consumption on the premises were given permission to operate at fifty (50) percent of their indoor capacity, so long as they provided seated service only;

**WHEREAS**, the Governor directed the Department of Business and Professional Regulation to enforce the restrictions in Executive Order 20-139;

**WHEREAS**, during the month of June 2020, the number of individuals testing positive for COVID-19 increased significantly in the State of Florida, especially among younger individuals, and some of these cases involving younger individuals are suspected to have originated from visits to bars, pubs, or nightclubs who have disregarded the restrictions set forth in Phase 2 of the Safe. Smart. Step-by-Step. Plan for Florida's Recovery; and

**WHEREAS**, noncompliance by bars and other vendors licensed to sell alcoholic beverages for consumption on the premises is suspected throughout the State to such a degree as to make individualized enforcement efforts impractical and insufficient at this time;

**NOW, THEREFORE, I, HALSEY BESHEARS**, Secretary of Florida's Department of Business and Professional Regulation, pursuant to the authority granted by Executive Order Nos. 20-52, 20-71, 20-112, and 20-139, find the timely execution of the mitigation, response, and recovery aspects of the State's emergency management plan, as it relates to COVID-19, is negatively impacted by the operation of certain regulatory statutes related to the Department of Business and Professional Regulation ("the Department"). Therefore, I order the following:

1. All vendors licensed to sell alcoholic beverages for consumption on the premises who derive more than 50% of gross revenue from such sales of alcoholic beverages shall suspend such sales of alcoholic beverages for consumption on the premises. Such vendors may continue to sell alcoholic beverages in sealed containers for consumption off the premises in accordance with Executive Order 20-71, Sections 1 and 2.

2. Vendors who are also licensed as public food service establishments or “restaurants” under Chapter 509, Florida Statutes, may continue to operate for on-premises consumption of food and beverages at tables pursuant to the restrictions in Executive Order 20-139, so long as these vendors derive 50% or less of gross revenue from the sale of alcoholic beverages for on-premises consumption.
3. This Emergency Order shall take effect on the date of its filing.

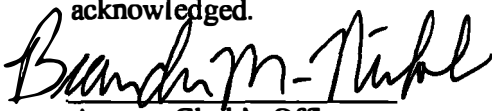
Executed this 26th day of June, 2020, in Tallahassee, Leon County, Florida.

FLORIDA DEPARTMENT OF BUSINESS  
AND PROFESSIONAL REGULATION



Halsey Beshears, Secretary  
2601 Blair Stone Road  
Tallahassee, Florida 32399

Filed on this date, with  
the designated Agency Clerk,  
receipt of which is hereby  
acknowledged.



Agency Clerk's Office

Date:

6/26/2020





# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NUMBER 20-71

(Emergency Management - COVID-19 – Alcohol Sales, Restaurants, and Gyms)

**WHEREAS**, on March 1, 2020, I issued Executive Order 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

**WHEREAS**, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

**WHEREAS**, on March 9, 2020, I issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

**WHEREAS**, on March 16, 2020, President Donald J. Trump and the Centers for Disease Control and Prevention (“CDC”) issued the “15 Days to Slow the Spread” guidance advising individuals to adopt far-reaching social distancing measures, such as avoiding gatherings of more than 10 people, and in states with evidence of community spread, bars, restaurants, food courts, gyms and other indoor and outdoor venues where groups of people congregate should be closed; and

**WHEREAS**, the State Surgeon General has advised me that gyms and fitness centers are establishments that attract gatherings of more than 10 people and are more susceptible for spreading COVID-19; and

**WHEREAS**, on March 17, 2020, I issued Executive Order 20-68 restricting bars, pubs, and nightclubs from selling alcohol and ordered every restaurant to limit its occupancy to 50% of its current building occupancy and abide by the CDC’s “social distancing” guidelines; and

**WHEREAS**, restaurants are increasing sales of orders for take-out and delivery for customers in order to meet demand while adhering to Executive Order 20-68; and

**WHEREAS**, I am committed to supporting retailers, restaurants and their employees as they pursue creative business practices that safely serve consumers during this temporary period of social distancing; and

**WHEREAS**, as Governor, I am responsible for meeting the dangers presented to this state and its people by this emergency.

**NOW, THEREFORE, I, RON DESANTIS**, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1.      Alcohol Sales

A. I hereby order all vendors licensed to sell alcoholic beverages for consumption on the premises to suspend the sale of alcoholic beverages by the drink or in sealed containers for consumption on the premises. Such vendors may continue to sell alcoholic beverages in sealed containers for consumption off-premises.

B. The restriction in section 561.20(2)(a)4., Florida Statutes, prohibiting a specially licensed food service establishment from selling package sales of alcohol for delivery, take-out or consumption off-premises is suspended for restaurants complying with Executive Order 20-68, through the expiration of the state of emergency declared in Executive Order 20-52, including any extensions, so long as the following conditions are met:

1) Any sale of an alcoholic beverage in a sealed container for consumption off-premises is accompanied by the sale of food within the same order; and

2) Any delivery of an alcoholic beverage complies with section 561.57, Florida Statutes.

C. The provisions of section 561.42, Florida Statutes, and Rules 61A-1.010, 61A-1.0107, 61A-1.0108, Florida Administrative Code, are suspended for the limited purpose of allowing licensed vendors of alcoholic beverages to request the return of undamaged alcoholic beverages purchased for events cancelled in response to COVID-19, so long as:

1) The requests are made within 30 days of the expiration of the state of emergency declared in Executive Order 20-52, including any extensions.

2) Vendors shall make and keep records of all events cancelled in response to COVID-19 that comply with section 561.55, Florida Statutes, and Rule 61A-1.01028(2), Florida Administrative code, and also include:

- a. the event name;
- b. the date the event was to be held;
- c. the date the event was cancelled;
- d. the location of the event or gathering that was cancelled; and
- e. the product returned to a distributor as a result of the cancellation of the event.

3) Licensed distributors shall make and keep records of all returns that comply with the record keeping requirements of section 561.55, Florida Statutes, and Rule 61A-1.01028(2), Florida Administrative code, and also include:

- a. the request from the licensed vendors;
- b. the date the request was made;
- c. the identity of the licensed vendor making the request, including the

licensed vendor's business name and address;

- d. the license number of the licensed vendor making the request;
- e. the product returned; and
- f. whether the vendor received cash or credit.

4) Vendors receive cash or a credit against outstanding indebtedness within sixty days from the date the distributor picks up the products.

5) The returned products were not initially purchased, sold, or otherwise obtained with either the privilege of return, or in any other manner that would be considered a violation of Florida's Beverage Law.

D. This Section does not prohibit retail stores and vendors that currently sell sealed containers of alcoholic beverages for off-premises consumption from continuing such sales for off premises consumption.

E. This Section amends and supersedes Executive Order 20-68, Section 1.

Section 2. Restaurants and Bars

I hereby order all restaurants and food establishments licensed under Chapters 500 and 509, Florida Statutes, within the State of Florida to suspend on-premises food consumption for customers. Notwithstanding the foregoing, such establishments may operate their kitchens for the purpose of providing delivery or take-out services. Employees, janitorial personnel, contractors and delivery personnel shall be allowed access to such establishments for the purposes of delivery or take-out services. This Section amends and supersedes Executive Order 20-68, Sections 3(A)-(B).

Section 3. Gyms and Fitness Centers

I hereby order the closure of gymnasiums and fitness centers within the State of Florida.

This order shall not apply to gymnasiums and fitness centers which are: (i) amenities of hotels which have a capacity of 10 persons or less, (ii) are an amenity of a residential building, (iii) are interior to any fire or police stations or (iv) are located inside any single-occupant office building.

Section 4. Enforcement and Implementation

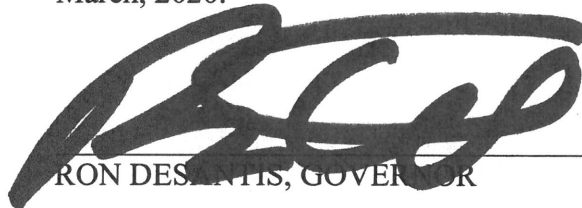
A. The Department of Business and Professional Regulation shall utilize its authorities under Florida law to further implement and enforce the provisions of this Executive Order and shall take additional measures as necessary to protect the public health, safety and welfare.

B. Pursuant to section 252.36(6), Florida Statutes, all state and local law enforcement shall further implement and enforce the provisions of this Executive Order.

Section 5. This Executive Order shall expire upon the expiration of Executive Order 20-52, including any extensions.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 20th day of March, 2020.



  
RON DESANTIS, GOVERNOR

ATTEST:

  
SECRETARY OF STATE

FILED  
2020 MAR 20 PM 1:22  
TALLAHASSEE, FLORIDA



# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 20-139

(Phase 2: Safe. Smart. Step-by-Step. Plan for Florida's Recovery)

**WHEREAS**, on March 9, 2020, I issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

**WHEREAS**, on April 29, 2020, I issued Executive Order 20-112 initiating Phase 1 of the Safe. Smart. Step-by-Step. Plan for Florida's Recovery; and

**WHEREAS**, on May 14, 2020, I issued Executive Order 20-123 for Full Phase 1.

**NOW, THEREFORE, I, RON DESANTIS**, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution and Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order:

### Section 1. Phase 2 Recovery

In concert with the efforts of President Donald J. Trump, and based on guidance provided by the White House and the Centers for Disease Control and Prevention (CDC), the Occupational Safety and Health Administration (OSHA), and the Florida Surgeon General and State Health Officer, I hereby adopt the following in response to the recommendations in Phase 2 of the plan published by the Task Force to Re-Open Florida.

- A. Executive Order 20-112, as modified by Executive Orders 20-120, 20-122, 20-123 and 20-131, is extended as further modified below.
- B. In Miami-Dade, Broward and Palm Beach counties, the re-opening provisions of Section 4 of this order will be considered after each county seeks approval with a written request from the County Mayor or if no mayor the County Administrator.

## Section 2. Responsible Individual Activity

All persons in Florida are encouraged to follow appropriate social distancing and safety protocols issued by the CDC and OSHA. The direction to follow such protocols, and those additional protocols listed below in this section, is guidance and not enforceable under section 252.47, Florida Statutes.

- A. Senior citizens and individuals with a significant underlying medical condition are strongly encouraged to avoid crowds and take measures to limit the risk of exposure to COVID-19.
- B. All persons in Florida are encouraged to avoid congregating in groups larger than 50 persons.
- C. All persons who work in long-term care facilities should be tested for COVID-19 on a routine basis.
- D. In-store retail businesses, including gyms and fitness centers, should maintain appropriate social distancing and sanitation protocols.

## Section 3. Additional Requirements for Certain Individuals Traveling to Florida

Executive Orders 20-80 and 20-82 are extended with exceptions for persons involved in commercial activity and students traveling for the purpose of academic work, internships, sports training and any other activity or program approved by the educational institution. This order supersedes Executive Order 20-86.

## Section 4. Business Activity

This order supersedes Executive Orders 20-91 and 20-92 and Executive Order 20-112 Section 2. This order further supersedes any conflicting provisions of Executive Order 20-112 including Section 3C. (gyms) and Section 4 (retail and museums) and Executive Order 20-123



including Section 1.B. (retail), C.(museums) and D. (gyms). This order extends and modifies the remaining provisions of Executive Order 20-112 and Executive Order 20-123 as follows:

- A. Restaurants and other establishments, and bars and other vendors licensed to sell alcoholic beverages for consumption on the premises, may operate at fifty (50) percent of their indoor capacity, excluding employees, as under Executive Order 20-123, Section 1. Bar areas may be open with seated service. In addition, outdoor seating is permissible with appropriate social distancing. This section does not apply to nightclubs. Non-conflicting provisions in Executive Order 20-71, Sections 1 and 2 remain in effect.
- B. Entertainment businesses, including but not limited to movie theaters, concert houses, auditoriums, playhouses, bowling alleys, and arcades may operate at fifty (50) percent of their building capacity, with appropriate social distancing between groups and appropriate sanitation.
- C. Pari-mutuel facilities may seek to operate with a written request from the County Mayor or if no mayor the County Administrator to the Secretary of the Department of Business and Professional Regulation (DBPR) and the approval of the DBPR Secretary.
- D. Personal services, including but not limited to tattooing, body piercing, acupuncture, tanning and massage, may operate with appropriate safety guidelines as outlined by the Department of Health.

Section 6. Previous Executive Order Extended

Executive Order 20-69 is extended until June 30, 2020.

Section 7.      Enforcement

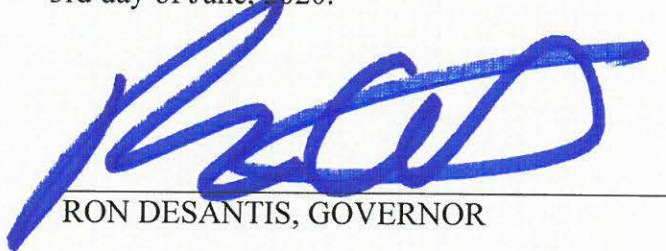
This order, with the exception of Section 2, shall be enforced under section 252.47, Florida Statutes, and by the Department of Business and Professional Regulation. Violation of this order is a second-degree misdemeanor pursuant to section 252.50, Florida Statutes, and is punishable by imprisonment not to exceed 60 days, a fine not to exceed \$500, or both.

Section 8.      Effective Date

This order is effective at 12:01 a.m. on June 5, 2020.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 3rd day of June, 2020.

  
\_\_\_\_\_  
RON DESANTIS, GOVERNOR

ATTEST:

  
\_\_\_\_\_  
SECRETARY OF STATE

FILED  
2020 JUN -3 AM 9:49  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA